

March 1, 1976

SENATOR F. LEWIS: Yes.

SENATOR NICHOL: Okay, thank you.

SENATOR F. LEWIS: I have an amendment that I am going to discuss with Senator Murphy anyway in a minute.

PRESIDENT: Senator Marvel.

SENATOR MARVEL: I rise to pose the question. How can we, as representing Nebraska taxpayers, possibly subsidize wards from Iowa. It is an Iowa court that made the decision and it looks to me like we have enough problems in Nebraska without subsidizing Iowa. Now I realize that Ponca and some others may have problems but I think we should move cautiously and I think this thing should be investigated rather than sit here and put five here and four here and three here until you get up to forty, when if most of them belong to other states, then I question whether it is even constitutional to put this number in the bill. Now I would defer to Senator Murphy or anybody else who has the problem but I can't see how a court in Iowa can send students to Nebraska and ask Nebraska to subsidize. This is beyond my comprehension.

PRESIDENT: Senator Murphy.

SENATOR MURPHY: Well, initially, I would like to say that the children that I make reference to are in no way handicapped. They are children fortunate enough to not have that problem but the intent of the law was that the state would pay, due to the lack of a tax base, for wards of a court. Now if anyone wishes to make inquiry, you will find that Iowa has many wards of Nebraska courts who are being educated by the State of Iowa. There is no existing reciprocal agreement but I will show you correspondence dating back two years with regard to this problem directed to and received from the Department of Education and they simply sit there and look at you. Now this is unconscionable that they would permit this condition to exist. They are children, who of no fault of their own, the Iowa court did not place them here. They were placed in the hands of a service agency in this case in Sioux City, Iowa and they, of course, seek foster homes without regard to what the method of funding education is but simply to provide a home for these children. In this case, this agency, not the court but this agency, has placed eight of these children in homes in Dixon County, in Ponca to that school district. Now the school district is certainly far less able to absorb the cost of this education than the state and I, too, would agree with you. We do not have an obligation to have courts in other states assigning children to Nebraska but there is without writing a reciprocal situation of Nebraska children existing in Iowa and I have correspondence to that effect, too.

PRESIDENT: Senator Stull.